



MAILED

MAY 06 2002

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2100

Paper No. 7

Theodore P. Lopez
SHJERVEN MORRILL MACPHERSON LLP
25 Metro Drive Suite 700
San Jose, CA 95110-1349

In re Application of:)
Khan, Rehan J.; Mathys, Marc; Pirkner,)
Christian D.; Rice, Pete W.; Sulzer, Thomas)
MOODLOGIC, INC.)
Application No. 09/695,526)
Filed: October 24, 2000)
For: SYSTEM AND METHOD FOR)
PRESENTING MUXIC TO)
CONSUMERS)

**DECISION ON REQUEST FOR
WITHDRAWAL AS ATTORNEY**

This is a decision on the Request To Withdraw from Representation filed March 21, 2002.

A grantable request to withdraw as attorney of record should indicate thereon the present mailing addresses of the attorney(s) who is/are withdrawing from the record and of the applicant. **The request for withdrawal must be signed by every attorney seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.** A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a). The effective date of withdrawal being the date of decision and not the date of request. See M.P.E.P. § 402.06. **37 C.F.R. § 1.36 further requires that the applicant or patent owner be notified of the withdrawal of the attorney or agent.**

The request is signed by Theodore P. Lopez alone and does not contain a clear indication that Mr. Lopez is authorized to sign on behalf of the other attorneys of record and is signing on behalf of the other attorneys of record. Furthermore, there is no indication that Applicant has been notified of the request for withdrawal.

Accordingly, the request filed March 21, 2002 is **DENIED**.

All future communications from the United States Patent and Trademark Office (Office) will

continue to be directed to the above-listed address until otherwise notified by applicant. Applicant is reminded of the obligation to promptly notify the Office of any change in correspondence address to ensure receipt of all communications from the Office.

The application file is being returned to the Technology Center's central files to await a response to the Office action of May 2, 2002.

A handwritten signature in black ink, appearing to read "Vincent N. Trans", written over a horizontal line.

Vincent N. Trans
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software,
and Electronic Commerce
(703) 305-9750